

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DOCTOR'S ASSOCIATES INC.,

Plaintiff,

v.

**JESAL DESAI a/k/a JESAL A. PATWARI,
SHAPAT, INC., SHAPAT II, LLC, SHAPAT
III, LLC and PATWARI, LLC,**

Defendants.

**JESAL DESAI a/k/a JESAL A. PATWARI,
SHAPAT, INC., SHAPAT II, LLC, SHAPAT
III, LLC and PATWARI, LLC,**

Plaintiffs,

v.

**DOCTOR'S ASSOCIATES INC. and
SUBWAY REAL ESTATE CORPORATION,**

Defendants.

THIS MATTER comes before the Court on Jesal Desai's Motion to Refer the consolidated cases under Civ. No. 08-3363 to the United States Bankruptcy Court for the District of New Jersey, Doctor's Associates' Motion to Vacate the Preliminary Injunction entered February 26, 2008 in the New Jersey Superior Court, Doctor's Associates' Motion to Dismiss all claims, counterclaims, and third-party claims of Desai pursuant to Fed. R. Civ. P. 12(b)(6), Doctor's Associates' Motion for Judgment on the Pleadings

Civ. No. 08-3363 (WJM)

Consolidated Civ. No. 08-3902

ORDER

confirming four arbitration awards pursuant to Fed. R. Civ. P. 12(c), and Doctor's Associates' Motion for Judgment on the Pleadings pursuant to Fed. R. Civ. P. 12(c) on its landlord/tenant complaints; and the Court having considered the submissions of the parties; and for the reasons set forth in the accompanying Letter Opinion; and good cause appearing;

IT IS on this 6th day of January, 2009, hereby,

ORDERED that Desai's Motion to Refer the consolidated cases under Civ. No. 08-3363 to the United States Bankruptcy Court for the District of New Jersey is **GRANTED** and this matter is referred to the Bankruptcy Court; and it is

FURTHER ORDERED that Doctors Associates' Motion to Vacate the Preliminary Injunction entered February 26, 2008 in the New Jersey Superior Court, Doctors Associates' Motion to Dismiss all claims, counterclaims, and third-party claims of Desai pursuant to Fed. R. Civ. P. 12(b)(6), Doctors Associates' Motion for Judgment on the Pleadings confirming four arbitration awards pursuant to Fed. R. Civ. P. 12(c), and Doctors Associates' Motion for Judgment on the Pleadings pursuant to Fed. R. Civ. P. 12(c) on its landlord/tenant complaints are **REFERRED** to the Bankruptcy Court.

/s/ William J. Martini
WILLIAM J. MARTINI, U.S.D.J.